UNITED
NATIONS

CAT

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Distr.
GENERAL

CAT/C/SR.299-
317/Add.1/Corrigendum
28 April 1999

Original: ENGLISH

COMMITTEE AGAINST TORTURE

Nineteenth session

SUMMARY RECORDS OF THE 299th TO 317th MEETINGS

Held at the Palais des Nations, Geneva,
from 10 to 21 November 1997

Corrigendum

PUBLIC MEETINGS

The present document contains the corrections received from members of the Committee, delegations and the Secretariat applying to the English text of the summary records of the public meetings of the Committee against Torture at its nineteenth session (CAT/C/SR.299, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310/Add.1, 311, 312, 314 and 317/Add.1).

The Committee also held 14 closed meetings, the summary records of which (CAT/C/SR.299/Add.1, 300, 302/Add.1, 304/Add.1, 305/Add.1, 306/Add.1, 307/Add.1, 309/Add.1, 310, 313, 314/Add.1 and 315-317) were issued in restricted distribution. No corrections to the records of the closed meetings were received.

With the issuance of the present corrigendum, the summary records of the meetings held by the Committee against Torture at its nineteenth session are to be considered final.

302nd meeting (first part)

Paragraph 3

At the end of the paragraph insert The non-self-executing provisions had already been dealt with by section 3 of Law 235/90.

Paragraph 7

Line 8: delete specific

Lines 9 and 10 should read

with which she was not familiar. She stressed that, if more precise particulars were given (such as name or nationality or circumstances), she would spare no effort to trace the incident, if there had been such an incident, and inform the

Paragraph 9, last line

Replace negligence by neglect of duty

Paragraph 10, line 2

Before charges insert criminal

Paragraph 11

Lines 6 and 7 should read

one of procedure. The prohibition of torture was included in the Bill of Rights contained in the Constitution and therefore any confession obtained in violation of the Convention was, for the purposes of domestic law, also obtained in violation of the individual's constitutional rights and, as such, was totally inadmissible as evidence. Any statement, to be admissible, had to be freely made, which meant that pressure of any

Paragraph 13

The last four lines should read

arranged in an area under United Nations control, but even then Mr. Eğmez had refused to make a statement. Since, under the existing evidential system, for the Attorney-General to initiate criminal proceedings there had to be a statement by the complainant, who would be the main witness for the prosecution regarding the circumstances of the case, the initiation of criminal proceedings had been rendered impossible.

Paragraph 14

Lines 3 to 9 should read

according to which he was the Government's legal adviser. He could not be removed from office except on like grounds and in like manner as judges of the Supreme Court. His Office was staffed by qualified lawyers who acted on his behalf as advisers to the Government, as prosecutors in criminal cases and as counsel for the Government in civil and administrative jurisdiction, and who also handled international litigation where the Government was involved. In relation to criminal cases, the Attorney-General had absolute power, exercisable at his discretion, to institute, conduct or discontinue proceedings. He could also intervene in private prosecutions. In the exercise of his discretion to enter nolle prosequi he could not be questioned, either by the court or by the Executive. The current Attorney-General, who was very sensitive to matters of human rights, had several times made it known to the police that he would not tolerate police brutality and would never hesitate to release any detained person, no matter how strong the evidence against him, if there was evidence that he had been subjected to ill-treatment. As to the judicial system in general, the

- - - - -